

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

BKY 15-50792

Diocese of Duluth,

Chapter 11

Debtor-in-Possession.

**ORDER GRANTING MOTION FOR EXPEDITED RELIEF; ESTABLISHING
DEADLINES FOR FILING PROOFS OF CLAIM; APPROVING SEXUAL ABUSE
PROOF OF CLAIM FORM; APPROVING FORM AND MANNER OF NOTICE;
AND APPROVING CONFIDENTIALITY PROCEDURE**

This case is before the court on the motion of the debtor for an order establishing deadlines for filing proofs of claim, approving proof of claim forms, approving the form and manner of notice, and approving confidentiality procedures in connection with the filing of proofs of claim.

Based on the motion and the file,

IT IS ORDERED:

1. The debtor's motion for expedited relief is granted.
2. The debtor's motion for an order establishing deadlines for filing proofs of claim, approving proof of claim forms, approving the form and manner of notice, and approving confidentiality procedures in connection with the filing of proofs of claim is granted as set forth in this order.

FORM

3. The Sexual Abuse Proof of Claim Form, the Sexual Abuse Claims Filing Deadline Notice and the Publication Notice, in the forms attached as Exhibits A, B, and C are approved.

Creditors with claims other than sexual abuse claims may use the official proof of claim form

410.

NOTICE

4. The form and manner of notice as approved in this order fulfill the notice requirements of the Federal Rules of Bankruptcy Procedure and the local rules of this court. Notice of the filing deadlines in the form and manner attached is fair and reasonable and will provide sufficient notice to all creditors of their rights and obligations in connection with claims they may assert in this case. Accordingly, the debtor is authorized and directed to serve and publish the notices in the manner described in this order.

DEADLINE FOR TIMELY FILING CLAIMS

5. The last day to timely file a proof of claim in this case is set as **May 25, 2016**. This deadline applies to all persons, including sexual abuse claimants, and entities, other than governmental units.

6. The last day for any governmental unit to file a timely proof of claim is **June 6, 2016**.

REQUIREMENTS FOR SEXUAL ABUSE PROOF OF CLAIM FORMS

7. Persons asserting claims arising from sexual abuse as that term is defined in Minnesota Statutes § 541.073(1), as well as from molestation, rape, undue familiarity, sexually-related physical, psychological or emotional harm, or contacts or interactions of a sexual nature between a child and an adult, or a non-consenting adult and another adult for which such persons believe that the debtor may be responsible shall file a Sexual Abuse Proof of Claim Form (Exhibit A).

8. The Clerk of Court shall maintain a copy of each Sexual Abuse Proof of Claim Form in electronic form in accordance with the confidentiality procedures outlined below. The Clerk of Court will assign each Sexual Abuse Proof of Claim Form a number and shall list that number on the public docket without a link to the Sexual Abuse Proof of Claim Form and without the name

of the claimant. All original Sexual Abuse Proof of Claim Forms shall be turned over to the attorneys for the debtor at regular intervals.

CONFIDENTIALITY PROCEDURES

9. Sexual Abuse Proof of Claim Forms shall be submitted pursuant to the following confidentiality procedures:

- i. Sexual Abuse Claimants shall mail or deliver the original of a Sexual Abuse Proof of Claim Form to the Clerk of the United States Bankruptcy Court for the District of Minnesota at the following address: 301 U.S. Courthouse, 300 South Fourth Street, Minneapolis, MN 55415 Attention: Heidi.
- ii. Sexual Abuse Proof of Claim Forms maintained by the Clerk of Court will not be available for viewing or copying unless otherwise ordered by the court. This confidentiality procedure is for the benefit of the Sexual Abuse Claimants. Accordingly, Sexual Abuse Claimants may elect to make any of the information contained in a Sexual Abuse Proof of Claim Form public, even if they elected to file the Sexual Abuse Proof of Claim Form confidentially. If a Sexual Abuse Claimant affirmatively indicates by checking the box in Part 1 of the Sexual Abuse Proof of Claim Form that the claim is to be made public, that claim will be added to the public claims register. If no box is checked or if both boxes are checked on a Sexual Abuse Proof of Claim Form, that form shall not be made public.
- iii. Sexual Abuse Proof of Claim Forms submitted by Sexual Abuse Claimants shall be held and treated as confidential by the debtor and its counsel and upon request to the permitted parties listed below, subject to each permitted party executing and returning to the debtor's counsel a confidentiality agreement, and to such other persons as the court determines; provided, however, that all parties with access to the Sexual Abuse Proof of Claim Forms shall agree to keep the information provided in a Sexual Abuse Proof of Claim Form confidential (unless the Sexual Abuse Claimant elects otherwise in Part 1 of the Sexual Abuse Proof of Claim Form). Permitted parties may obtain copies of Sexual Abuse Proof of Claim Forms in accordance with the terms of an applicable confidentiality agreement only from counsel for the debtor, and shall not seek or obtain such documents from the clerk of court.
- iv. Permitted parties include: (a) counsel for the debtor; (b) officers and employers of the debtor who are necessary to assist the debtor and its counsel address issues with respect to Sexual Abuse Claims; (c) counsel

for the committee of unsecured creditors; (d) insurance companies or their successors, including any authorized claim administrators of such insurance companies, that issued or allegedly issued policies to the debtor and their reinsurers and attorneys; (e) any future claims representative appointed by the court in this case; (f) any mediator, special arbitrator or claims reviewer appointed by the court to review and resolve the Sexual Abuse Claims; (g) any trustee appointed to administer payments to Sexual Abuse Claimants; (h) authorized representatives of a department of corrections with respect to a Sexual Abuse Claim by a Sexual Abuse Claimant who is incarcerated but only to the extent such disclosure is authorized under applicable non-bankruptcy law; (i) members of the committee of unsecured creditors and their personal counsel (after the Sexual Abuse Proof of Claim Form has been redacted to remove the Sexual Abuse Claimant's name, address and any other information identified in Part 2(A) or 3 of the Sexual Abuse Proof of Claim Form and the signature block); (j) law enforcement in the city or county where the Sexual Abuse Claim arose; (k) auditors of the United States Conference of Catholic Bishops charged with preparing annual audits of diocesan compliance with the Charter for the Protection of Children and Young People; (l) each parish identified in a sexual abuse proof of claim, and the following personnel from the identified parish: (i) the pastor; (ii) the trustees serving on the parish finance council; (iii) the chairperson of the parish finance council; (iv) the business administrator of the parish; (v) attorneys serving as counsel to the parish; and (vi) the parish's insurance company; and (m) such other persons as the court determines should have the information in order to evaluate Sexual Abuse Claims only upon a motion by the debtor or the committee of unsecured creditors.

10. In addition to the foregoing, counsel for the debtor and the committee of unsecured creditors are authorized to provide copies of an individual claimant's Sexual Abuse Proof of Claim and any other documents filed in connection with the individual claimant's Sexual Abuse Proof of Claim to counsel representing such individual claimant. Permitted parties and their attorneys shall be authorized to review proofs of claim upon execution of a confidentiality agreement agreed upon by the debtor and the committee of unsecured creditors or pursuant to further order of the court. The court may approve additional permitted parties upon motion.

11. Access to the Sexual Abuse Proof of Claim Forms extends only to the individual who executes the confidentiality agreement. A separate confidentiality agreement must be signed by each individual who seeks access to the records on behalf of a permitted party.

TIMING AND FORM OF NOTICE

12. As soon as reasonably practicable after the entry of this order, the Clerk of Court shall give notice by United States mail, first-class postage prepaid, or by electronic means, of the non-tort claim filing deadline to (a) the United States Trustee for the District of Minnesota; (b) counsel to the committee of unsecured creditors; (c) all persons and entities that have filed a notice of appearance in this case; (d) all persons and entities that have previously filed proofs of claims in this Chapter 11 case.

13. As soon as reasonably practicable, but in any event no later than five business days after the entry of this order, the debtor shall serve by United States mail, first-class postage prepaid, the Sexual Abuse Claim Filing Deadline Notice (Exhibit B) and the Sexual Abuse Proof of Claim Form (Exhibit A) on the United States Trustee, and on known Sexual Abuse Claimants who have:

- i. Filed pending lawsuits against the debtor alleging that they were sexually abused by employees or agents of the debtor or by clergy previously assigned to the debtor or any others for whom the debtor may be liable;
- ii. Provided to the debtor under Minn. Stat. § 549.09 a written notice of claim of sexual abuse by employees or agents of the debtor or by clergy previously assigned to the debtor or any others for whom the debtor may be liable;
- iii. Contacted the debtor to claim that they were sexually abused as a minor by employees or agents of the debtor or by clergy previously assigned to the debtor or any others for whom the debtor may be liable;
- iv. Are otherwise known to the debtor to be a Sexual Abuse Claimant through reasonably-ascertainable records.

14. The service of the Sexual Abuse Claim Filing Deadline Notice and Sexual Abuse Proof of Claim Form on Sexual Abuse Claimants shall be accomplished through such Sexual Abuse Claimants' attorneys, if previously identified as counsel for such Sexual Abuse Claimant in connection with a Sexual Abuse Claim, and directly on all other known potential Sexual Abuse Claimants that have been identified and located by the debtor through reasonably diligent efforts.

15. The Publication Notice and the Sexual Abuse Claim Filing Deadline Notice shall include a reference to this court's website (www.mnb.uscourts.gov) where all claim forms shall be made available.

16. The service outlined above shall constitute service on all known creditors of the debtor. All other creditors of the debtor shall be deemed to be unknown for the purpose of service of notice of the Claim Filing Deadline.

17. The debtor shall also provide notice of the Claim Filing Deadline established in this order by causing a copy of the Publication Notice (Exhibit C) to be published as follows:

- i. Publication four times in each of the following publications, with the first publication to occur within thirty days of the service of the claim filing deadline packages, the second publication to occur approximately thirty after the first notice, the third publication to occur approximately thirty days after the second notice, and the fourth publication to occur approximately thirty days after the third notice:
 - *National Publication*: USA Today – National Edition
 - *Catholic Publications (and their respective websites)*:
 - National Catholic Reporter (National)
 - The National Catholic Register (National)
 - The Northern Cross (Regional)
 - *Local Publications (and their respective websites)*:

- Minneapolis Star Tribune
- St. Paul Pioneer Press
- The Minnesota Daily
- Duluth News Tribune
- Post-Bulletin (Rochester)
- St. Cloud Times
- Brainerd Dispatch
- Grand Forks Herald
- Winona Daily News
- The Bemidji Pioneer
- Crookston Daily News
- The Free Press (Mankato)
- The Journal (New Ulm)
- Mesabi Daily News (Virginia)
- Hibbing Daily Tribune
- Grand Rapids Herald Review
- International Falls Journal
- The Duluthian

- ii. The debtor, in consultation with the official committee of unsecured creditors, shall identify Native American publications of the Native American populations within the Diocese's geographical area. The debtor shall cause Publication Notice to be published in these publications on the same schedule set forth above.
- iii. The debtor will request that the Publication Notice is published in the above listed publications in a location other than among the standard legal notices.
- iv. In addition to the Publication Notice, the debtor will send copies of the Sexual Abuse Claim Filing Deadline Notice to the publications listed above and to the following:
 - The Associated Press of Minnesota
 - WCCO-AM
 - Minnesota Public Radio
 - KARE-TV
 - KMSP-TV
 - KSPR-TV
 - WCCO-TV
 - Each diocese in Minnesota

18. The debtor shall provide further notice of the Claim Filing Deadline by taking the following measures:

- i. Within five business days of the entry of this order, the debtor will post the component parts of the Sexual Abuse Claim Filing Deadline Package and the Non-Tort Claim Filing Deadline on the following public website: <http://www.dioceseduluth.org>;
- ii. Within five business days of the entry of this order, the debtor will provide a copy of the Publication Notice and component parts of the Sexual Abuse Claim Filing Deadline Package to the Survivors Network of the Abused by Priests and request that it post the same on its website at www.snapnetwork.org;
- iii. Within five business days of the entry of this order, the debtor will provide a copy of the Publication Notice and component parts of the Sexual Abuse Claim Filing Deadline Package to Jeff Anderson and Associates P.A. and request that it post the same on its websites at www.andersonadvocates.com;
- iv. The debtor will maintain a telephone number published on their website at <http://www.dioceseduluth.org> which may be used by Sexual Abuse Claimants to ask questions or obtain copies of the Sexual Abuse Claim Filing Deadline Package or parts thereof;
- v. Within two weeks of the service of the Sexual Abuse Claim Filing Deadline Package, the debtor will provide a copy of the Publication Notice and the Sexual Abuse Claim Filing Deadline Notice to the following offices/entities and request that each recipient publicly post such notice until the expiration of the Claim Filing Deadline: (a) The Minnesota Attorney General; (b) the county attorney, the county court administrator, and sheriff's department for each of the counties within the Diocese's geographical area; (c) the Minnesota Department of Health's locations within the Diocese's geographical area; (d) each hospital in the Diocese's geographical area; and (e) each of the 74 parishes.
- vi. The debtor will send a letter to each parish requesting that such parish display the Publication Notice and Sexual Abuse Claim Filing Deadline Notice in a prominent location within the church or school. The letter will also request that the notices be published prominently once a month in the parishes' weekly bulletins until the Claim Filing Deadline. The letter will also request that each pastor, canonical administrator, or parochial vicar remind parishioners of the availability of information concerning the Claim Filing Deadline. The letter will also request that parishes disseminate the Publication Notice and Sexual Abuse Claim Filing Deadline Notice by email to their

- respective distribution lists. The letter shall request confirmation as to whether the parish has complied with the publication request and shall request (i) the dates of publication of the notices in the parish's bulletin; and (ii) a copy of the parish bulletin including such notice.
- vii. The debtor will mail a copy of the Sexual Abuse Claim Filing Deadline Notice to all licensed alcohol and addiction treatment centers in the state of Minnesota, as identified by counsel for the committee of unsecured creditors, and to persons identified by counsel for the official committee of unsecured creditors as licensed therapists presently working with sexual abuse claimants.
- viii. The Bishop shall request that each pastor, canonical administrator, or parochial vicar read a letter from the Bishop at least two times before the Claim Filing Deadline. The letter from the Bishop shall state that the Bishop requested that the letter be read; that the Claim Filing Deadline is May 25, 2016; that the Bishop requests that people inform their family members about the Claim Filing Deadline; and that the filing of a claim can be done confidentially.
19. Each request described in paragraph 18(v) and (vi) above shall be on the debtor's letterhead and signed by an officer of the debtor. The request described in 18(vi) above, shall include a space at the bottom for the recipient to indicate whether it will comply with the request and a stamped self-addressed return envelope. The debtor will report on compliance to the committee of unsecured creditors.

20. In addition, the Clerk of Court shall post the Sexual Abuse Proof of Claim Form, the Sexual Abuse Claims Filing Deadline Notice and Publication Notice on the website for the United States Bankruptcy Court for the District of Minnesota by adding a link on the court's home page (www.mnb.uscourts.gov) to easily access filing deadline information.

Dated: January 7, 2016

/s/ Robert J. Kressel

Robert J. Kressel
United States Bankruptcy Judge

Exhibit A – Sexual Abuse Proof of Claim Form

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MINNESOTA

In re:

Case No.: 15-50792

Diocese of Duluth,

Chapter 11

Debtor-in-Possession.

SEXUAL ABUSE PROOF OF CLAIM

IMPORTANT:
THIS FORM MUST BE RECEIVED NO LATER THAN
MAY 25, 2016

Carefully read the instructions included with this SEXUAL ABUSE PROOF OF CLAIM and complete ALL applicable questions. Please print clearly and use blue or black ink. Send the **original** to the U.S. Bankruptcy Court Clerk at the following address: Office of the Clerk of Court, U.S. Bankruptcy Court District of Minnesota, 301 U.S. Courthouse, 300 South Fourth Street, Minneapolis, MN 55415 Attention: Heidi.

THIS PROOF OF CLAIM IS FOR CLAIMANTS OF SEXUAL ABUSE ONLY. YOU MAY WISH TO CONSULT AN ATTORNEY REGARDING THIS MATTER.

A sexual abuse claim includes any claim arising from sexual abuse as that term is defined in Minnesota Statutes § 541.073(1), as well as from molestation, rape, undue familiarity, sexually-related physical, psychological or emotional harm, or contacts or interactions of a sexual nature between a child and an adult, or a non-consenting adult and another adult for which such persons believe that the Diocese may be liable.

TO BE VALID, THIS PROOF OF CLAIM MUST BE SIGNED BY YOU OR YOUR ATTORNEY. IF THE SEXUAL ABUSE CLAIMANT IS DECEASED OR INCAPACITATED, THE FORM MAY BE SIGNED BY THE SEXUAL ABUSE CLAIMANT'S REPRESENTATIVE OR THE ATTORNEY FOR THE ESTATE. IF THE SEXUAL ABUSE CLAIMANT IS A MINOR, THE FORM MAY BE SIGNED BY THE SEXUAL ABUSE CLAIMANT'S PARENT OR LEGAL GUARDIAN, OR THE SEXUAL ABUSE CLAIMANT'S ATTORNEY. IF THE SEXUAL ABUSE CLAIMANT DIES AFTER THE SUBMISSION OF THIS FORM, BUT BEFORE THE CLAIM IS RESOLVED, NOTIFICATION OF THE DEATH MUST BE PROVIDED TO THE COURT AT THE ADDRESS ABOVE.

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to five years, or both. 18 U.S.C. §§ 152 and 3571.

UNLESS YOU INDICATE OTHERWISE IN PART 1 BELOW, YOUR IDENTITY WILL BE KEPT STRICTLY CONFIDENTIAL, UNDER SEAL, AND OUTSIDE THE PUBLIC RECORD. HOWEVER, INFORMATION IN THIS CLAIM WILL BE PROVIDED PURSUANT TO COURT-APPROVED CONFIDENTIAL GUIDELINES TO COUNSEL FOR THE COMMITTEE OF UNSECURED CREDITORS, AND OTHER COURT-APPROVED THIRD PARTIES IN ORDER TO EVALUATE THE CLAIM.

YOUR PROOF OF CLAIM MAY BE DISPUTED OR HONORED IN WHOLE OR IN PART. THE DEBTOR RESERVES THE RIGHT TO OBJECT OR TO ASSERT OFFSETS OR DEFENSES AGAINST ANY FILED PROOF OF CLAIM FORM

PART 1: CONFIDENTIALITY

THIS SEXUAL ABUSE PROOF OF CLAIM (ALONG WITH ANY ACCOMPANYING EXHIBITS AND ATTACHMENTS) WILL BE MAINTAINED AS CONFIDENTIAL UNLESS YOU EXPRESSLY REQUEST THAT IT BE PUBLICLY AVAILABLE BY CHECKING THE BOX AND SIGNING BELOW.

- ☐ I want my Proof of Claim (along with any accompanying exhibits and attachments) to be kept **confidential**.
- ☐ I want my Proof of Claim (along with any accompanying exhibits and attachments) to be made **public**.

Please verify this election by signing directly below.

Signature: _____

Print Name: _____

PART 2: IDENTIFYING INFORMATION

A. Sexual Abuse Claimant

First Name Middle Initial Last Name Jr/Sr/III

Mailing Address (If Party is incapacitated, is a minor or is deceased, please provide the address of the individual submitting the claim. If you are in jail or prison, your current address.)

City State/Prov. Zip Code (Postal Code) Country
(if other than USA)

Telephone No(s):
Home: _____ Work: _____ Cell: _____

Email address: _____

If you are in jail or prison, your identification number: _____

May we leave voicemails for you regarding your claim: ☐ Yes ☐ No

May we send confidential information to your email: ☐ Yes ☐ No

Birth Date: _____ ☐ Male ☐ Female
Month Day Year

Last Four Digits of Social Security Number: XXX-XX- _____

Any other name(s) or alias(es) by which the Sexual Abuse Claimant has been known:

B. Sexual Abuse Claimant's Attorney (if any. Do not list counsel for the Debtors or the Official Creditors Committee):

Law Firm Name

Attorney's First Name Middle Initial Last Name

Street Address

City State/Prov. Zip Code (Postal Code) Country
(if other than USA)

Telephone No. Fax No. E-mail address

PART 3: BACKGROUND INFORMATION

1. Are you currently married?

☐ Yes ☐ No (If "Yes," please identify the name of your spouse and marriage date.)

2. Have you previously been married?

☐ Yes ☐ No (If "Yes," please identify your former spouse and, as applicable, the date(s) of any dissolution, divorce, separation or widowhood.)

3. Do you have children?

☐ Yes ☐ No (If “Yes,” please identify their names and birthdates. If any children have died, please provide their date of death.)

4. What schools have you attended? For each school, please identify the months and years of your attendance. If you cannot recall the exact months when you began or ended each school year, please identify the season (fall, winter, spring, summer).

5. Have you received a diploma or degree from any of the schools listed above?

☐ Yes ☐ No (If “Yes,” please identify each diploma or degree that you received and the year you received it.)

6. Have you served in the armed forces?

☐ Yes ☐ No (If “Yes,” please identify the branch of service, the dates you served and, if you have been discharged, the type of discharge you received.)

7. Are you currently employed?

☐ Yes ☐ No (If “Yes,” please identify the name of the organization where you are employed, the date that your employment began and your job title.)

8. What is your employment history? Please provide the following information about each place you have previously been employed: (i) the name of the organization where you were employed; (ii) the dates of employment; (iii) your job title(s); and (iv) your reason for leaving the place of employment.

9. Have you been self-employed?

☐ Yes ☐ No (If “Yes,” please provide your job responsibilities and any business name you used. Please also provide the dates of this business.)

10. Are you retired?

☐ Yes ☐ No (If “Yes,” when did you retire?)

11. Part 4 below will ask you about the nature of your complaint against the Diocese of Duluth. Other than the incident(s) of sexual abuse described in Part 4, have you ever been sexually abused by anyone else? If “Yes,” please describe this abuse, including the date of the abuse and the identity of the abuser.

PART 4: NATURE OF ABUSE

(Attach additional separate sheets if necessary)

NOTE: IF YOU HAVE PREVIOUSLY FILED A LAWSUIT AGAINST THE DEBTOR IN STATE OR FEDERAL COURT, YOU MAY ATTACH THE COMPLAINT. IF YOU DID NOT FILE A LAWSUIT, OR IF THE COMPLAINT DOES NOT CONTAIN

ALL OF THE INFORMATION REQUESTED BELOW, YOU MUST PROVIDE THE INFORMATION BELOW.

1. Who committed each act of sexual abuse?

-
-
2. What is the position, title or relationship to you of the abuser or individual who committed these acts?
-
-
-
3. Where did the sexual abuse take place? Please be specific and complete all relevant information that you know, including the City and State, name of the parish, school (if applicable) and/or the names of any other location.
-
-
-
- 4 When did the sexual abuse take place?
- a. Please be as specific as possible. If you can, please indicate the day, month and year. If you cannot recall the month, please try to recall the season of year (fall, winter, spring summer).
-
-
-
- b. If you were sexually abused on more than one occasion, please state when the abuse started, when it stopped, and how many times it occurred.
-
-
-
- c. Please also state your age(s) and your grade(s) in school (if applicable) at the time the abuse took place.
-
-
-
5. Please describe in as much detail as possible the nature of the sexual abuse. What happened?
-
-

6. Did you tell anyone about the sexual abuse (this would include parents, relatives, friends, the Diocese of Duluth, attorneys, counselors, and law enforcement authorities)?

a. If "Yes," who did you tell? Please list the name(s) and any contact information you have.

b. What did you say?

c. When did you tell this person or persons about the abuse?

d. If you know, what did the person or persons do in response?

7. Were there any witnesses? If so, please list their name(s) and any contact information you have, including addresses.

8. Do you personally know or have reason to believe that the Diocese of Duluth knew that your abuser was abusing you or others before or during the period when such abuse occurred? If "Yes", please provide all information that supports your conclusion, including the information requested in items 8(a) through 8(e) below.

a. Who at the Diocese knew that your abuser was abusing you or others?

-
-
-
- b. How did such person or persons at the Diocese learn this information? For example, did you report the abuse to someone from the Diocese? Did someone else tell you they reported it to someone from the Diocese? Did someone from the Diocese witness the abuse?

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-
-
- c. When did such person or persons at the Diocese learn this information?

-
-
-
- d. What exactly was the person or persons from the Diocese told or what exactly did they observe?

-
-
-
- e. How did you come to have the information you provided in response to the questions above?

PART 5: IMPACT OF ABUSE

(Attach additional separate sheets if necessary)

1. What injuries have occurred to you because of the act or acts of sexual abuse that resulted in the claim (for example, the effect on your education, employment, personal relationships, health, and any physical injuries)?
-
-
-
2. Have you sought counseling or other treatment for your injuries? If so, with whom and when?

PART 6: ADDITIONAL INFORMATION

1. Prior Non-Bankruptcy Claims: Have you previously filed any lawsuit seeking damages for the sexual abuse described in this claim? ☐ Yes ☐ No (If “Yes” please answer the questions below.)

a. Where and when did you file the lawsuit?

b. Who were the parties to the lawsuit and what was the case number?

c. What was the result of that lawsuit?

2. Prior Bankruptcy Claims: Have you filed any claims in any other bankruptcy case relating to the sexual abuse described in this claim?

☐ Yes ☐ No (If “Yes,” you are required to attach a copy of any completed claim form.)

3. Any Settlements: Regardless of whether a complaint was ever filed against any party because of the sexual abuse, have you settled any claim or demand relating to the sexual abuse described in this claim?

☐ Yes ☐ No (If “Yes,” please describe, including parties to the settlement. You are required to attach a copy of any settlement agreement.)

4. Bankruptcy: Have you ever filed bankruptcy? ☐ Yes ☐ No (If “Yes,” please provide the following information:

Name of Case: _____ Court: _____

Date Filed: _____ Case No.: _____

Chapter: ☐ 7 ☐ 11 ☐ 12 ☐ 13 Name of Trustee) _____

Date: _____

Sign and print your name. If you are signing the claim on behalf of another person or an estate, print your title.

Under penalty of perjury, I declare the foregoing statements to be true and correct.

Signature: _____

Print Name: _____

Title: _____

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Exhibit B – Sexual Abuse Claim Filing Deadline Notice

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MINNESOTA

In re:

Case No.: 15-50792

Diocese of Duluth,

Chapter 11

Debtor-in-Possession.

**NOTICE OF THE TIME FOR TIMELY FILING PROOFS OF CLAIMS RELATING
TO, OR ARISING FROM, SEXUAL ABUSE**

**THIS IS AN IMPORTANT NOTICE.
YOUR RIGHTS MIGHT BE AFFECTED.**

**TO ALL PERSONS WITH CLAIMS ARISING FROM SEXUAL ABUSE FOR WHICH
THE DIOCESE OF DULUTH MAY BE LIABLE:**

**MAY 25, 2016 IS THE LAST DATE TO TIMELY FILE PROOFS OF CLAIMS FOR
SEXUAL ABUSE**

On December 7, 2015 The Diocese of Duluth filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code in the United States Bankruptcy Court for the District of Minnesota. The debtor's address, the case number, proof of claim forms and other relevant information related to this Chapter 11 case may be obtained at <http://www.dioceseduluth.org>. Individuals have asserted sexual abuse claims against the Diocese, on account of alleged actions by people associated with the Diocese. Any person who believes that he or she has, or may have, a claim arising from sexual abuse as that term is defined in Minnesota Statutes §541.073(1), molestation, rape, undue familiarity, sexually-related physical, psychological or emotional harm, or contacts or interactions of a sexual nature between a child and an adult, or a non-consenting adult and another adult for which such persons believe that the Diocese may be liable should carefully read this notice.

**YOU SHOULD CONSULT AN ATTORNEY IF YOU HAVE ANY QUESTIONS,
INCLUDING WHETHER YOU SHOULD FILE A PROOF OF CLAIM.**

LAST DATE FOR TIMELY FILING

The United States Bankruptcy Court for the District of Minnesota entered an order establishing **May 25, 2016**, as the last date for each Sexual Abuse Claimant to timely file a proof of claim. The Claim Filing Deadline and the procedures set forth below for Sexual Abuse Proof of Claim Forms apply to all Sexual Abuse Claims against the debtor, based upon alleged acts of sexual abuse occurring prior to December 7, 2015.

WHO SHOULD FILE

If you believe that you have a Sexual Abuse Claim, you should file a Sexual Abuse Proof of Claim to maintain and preserve any claims that you have against the debtor. Even if you have already filed a lawsuit against the debtor alleging sexual abuse prior to December 7, 2015, you should still file a Sexual Abuse Proof of Claim Form to maintain and preserve your rights in the debtor's Chapter 11 case.

WHO SHOULD NOT FILE

You should not file a Sexual Abuse Proof of Claim Form if:

Your Sexual Abuse Claim has already been paid in full;

You do not have a claim against the debtor.

WHAT TO FILE

FILE A SEXUAL ABUSE PROOF OF CLAIM FORM, A COPY OF WHICH IS ENCLOSED. YOU MAY ALSO OBTAIN A COPY OF THE SEXUAL ABUSE PROOF OF CLAIM FORM BY FOLLOWING THE INSTRUCTIONS BELOW:

PROCEDURES FOR FILING A SEXUAL ABUSE PROOF OF CLAIM FORM

To file a Sexual Abuse Proof of Claim Form, take the following steps:

Fill out the Sexual Abuse Proof of Claim Form in its entirety.

For additional copies of the Sexual Abuse Proof of Claim Form: (a) photocopy the Sexual Abuse Proof of Claim Form; (b) contact the debtor between the hours of 9:00 a.m. and 5:00 p.m. (prevailing Central Time), Monday through Friday; (c) visit the debtor's website at: <http://www.dioceseduluth.org>; or (d) visit the website of United States Bankruptcy Court for the District of Minnesota at <http://www.mnb.uscourts.gov/>

Please note that the Court's Clerk staff is not permitted to give legal advice. You should consult your own attorney for assistance regarding any such inquiries.

Return the completed original Sexual Abuse Proof of Claim Form to the U.S. Bankruptcy Court Clerk at the address set forth below by the Claim Filing Deadline. Sexual Abuse Proof of Claim Forms will be deemed timely filed only if they are **actually received** by the Clerk of Court by **May 25, 2016**.

If you are returning a Sexual Abuse Proof of Claim Form by mail, allow sufficient mailing time so that the Sexual Abuse Proof of Claim Form is received on or before **May 25, 2016**. Sexual Abuse Proof of Claim Forms that are postmarked before that date, *i.e.*, the Claim

Filing Deadline, but which are received by the Clerk of the Court after the Claim Filing Deadline, will be considered tardy.

Sexual Abuse Proof of Claim Forms should be delivered to the following address:

Clerk of Court
U.S. Bankruptcy Court District of Minnesota
301 U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415
Attention: Heidi

CONSEQUENCES OF FAILURE TO FILE A PROOF OF CLAIM

There may be consequences for failing to file a claim. Please consult your attorney.

CONFIDENTIALITY

Filed Sexual Abuse Proof of Claim Forms will remain confidential in this bankruptcy case, unless you elect otherwise in Part 1 of the Sexual Abuse Proof of Claim Form. Therefore, the Sexual Abuse Proof of Claim Form that you file will not be available to the general public, but will be kept confidential, except that information will be provided to the debtor, the United States Trustee for the District of Minnesota, the debtor's insurers, attorneys for the official committee of unsecured creditors and its members, any future claims representative appointed under a plan of reorganization, any settlement trustee appointed to administer payments to Sexual Abuse Claimants, prison authorities for incarcerated Sexual Abuse Claimants and such other persons as the court determines should have the information in order to evaluate the Sexual Abuse Claim, all of whom will agree to keep the information provided by you confidential.

Dated:

Exhibit C – Publication Notice



Diocese of Duluth

BANKRUPTCY

If you were sexually abused by any person connected with the Diocese, a parish in the Diocese, a school in the Diocese, or have any claim against the Diocese, you must file a claim by May 25, 2016.

CLAIMS MUST BE FILED BY MAY 25, 2016

- For more information, visit dioceseduluth.org
- For U.S. Bankruptcy Court for the District of Minnesota information, visit mn.uscourts.gov
- For advice about your rights, contact an attorney